

MINUTES

**CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
NOVEMBER 17, 2009
6:00 P.M.**

1. The meeting was called to order at 6:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Chief Carter and the Invocation was given by Chief Carter.

ROLL CALL

PRESENT

Mayor Pat Woolley
Councilman Phil Owens
Councilman Dean Johnson
Councilman David Dirkschneider (arrived at 6:02)
Councilman Mike Gossman
Councilwoman Cathy Maxey

ABSENT

Vice-Mayor Nancy Olson
Councilman Doug Davis
Councilman Christian Portwood

STAFF PRESENT

Matt Love, City Attorney
Roger Patty, Police Chief
Rob Carter, Fire Chief
Mike Turman, Public Works Director
Scott Barrett, City Engineer
Pamela McDowell-Ramirez, City Clerk

2. Presentation of a Badge to Firefighter Tony Peevyhouse.

The Mayor presented Firefighter Tony Peevyhouse with his badge.

3. Call to the Public.

Lois Meiers addressed the council questioning them about donations to the Community Center and stating that in the paper it said that 300 meals were served on one day and she wants to see the list. The Mayor told her that she would have to ask the Salvation Army to see the list and that there had only been one donation made to the Community Center that he knew of.

4. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #5.

- A. Approval of the minutes from the Regular meeting of October 20, 2009 and Special meeting of October 1, 2009. *****

B.	Approval of Expenditures ****	General Fund	\$116,976.69
		CIP Fund	\$ 20,963.02
		PST Fund	\$ 71,230.09

C. Approval of Actual Expenditures for October 2009 and Proposed Expenditures for November 2009. ****

D. Sales Tax History Report.

Clerk Ramirez told the council that the Tax Commission website was not working and so she had to get the tax information from the bank account and the report was at their places when they came in the meeting.

Councilman Owens pulled item A.

Motion by Johnson, second by Dirkschneider to approve B, C and D on the consent docket. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Discussion and possible action on items removed from the consent docket.

Item A. October 20, 2009 minutes.

Motion by Johnson, second by Dirkschneider to approve the minutes. Poll vote: Johnson, yea; Owens, yea; Gossman, abstain; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Item A. October 1, 2009 minutes.

Motion by Dirkschneider, second by Johnson to approve the minutes. Poll vote: Johnson, yea; Owens, abstain; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 13 was heard after item 5.

6. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, and City Planner. ****

Clerk Ramirez told the council that she had provided them with Insurance information concerning the premiums. She told them that AETNA was the current carrier and they were asking for a 65% increase so the agent for the city shopped for coverage and 3 companies declined to quote, however, Blue Cross

and Blue Shield, Principal and AETNA all did quote. The insurance committee voted to switch to Principal.

Attorney Love told the council that the Oklahoma Legislature passed a Uniform Building Code which requires the city to collect a fee to be remitted to the State. He said that there was some confusion as to when the city was to begin collecting the fee but after attending a meeting at the State House it was clarified and the city would need to do an Ordinance to implement the fee.

PW Director Turman stated that the road work projects were underway and all the streets were being milled down and then repaired and then overlaid. He said that smoke testing would begin on Wednesday and continue for 6 weeks.

Engineer Barrett stated that the Energy project work had started and there would be items for the December agenda. He said that the Grant Writer was working on the Salary survey and rate study. The 63rd Street overlay project should start in February and preliminary plans for MacArthur are being worked on.

7. Final Public hearing and possible action on a sign variance for an electronic message board for Putnam City Central Elementary School located at 5721 NW 39th St. ****

Motion by Owens, second by Dirkschneider to close the public hearing. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Motion by Owens, second by Dirkschneider to approve the sign variance. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

8. Final Public hearing and possible action on a sign variance for an electronic message board for Putnam City United Methodist Church located at 5819 NW 41st St. ****

Motion by Owens, second by Johnson to close the public hearing. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Motion by Dirkschneider, second by Maxey to approve the sign variance. Poll vote: Johnson, yea; Owens, nay; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed.

9. Final Public hearing and possible action on Planning Commission recommendation with regard to granting a special use permit for used auto sales at 5674 NW 39th St., formerly Big O Tires. Applicant: Akbar Ghoreyan. (Planning Commission continued this item to their next meeting.)

Motion by Dirkschneider, second by Owens to close the public hearing. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Motion by Dirkschneider, second by Owens to continue the item to the December meeting. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 11 was heard after item 9.

10. Discussion and possible action to authorize the Mayor to retain the services of a traffic engineering consultant to provide preliminary traffic data (Average Daily Traffic, Traffic Volume / Capacity Ratio and Accident Severity Rate) for use in submitting a request to ACOG to add the MacArthur Widening project from NW 36th to NW 43rd Street to the ACOG Urbanized Area STP Program. Said traffic analysis shall not exceed the mayor's authorized spending limit.

Mayor Wooley told the council that deadlines had to be met in order to get the city on the list. Engineer Barrett stated that December 15th is the deadline to get a project moved up to the schedule pool. He said that the work that needed to be done now would cost around \$2,500.

Motion by Maxey, second by Dirkschneider to approve the Mayor to retain the services for a traffic study. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 14 was heard after item 10.

Item 11 was heard after item 9.

11. Discussion and possible action on approval on a new Warr Acres flag. ****

Councilman Johnson stated that he was presenting the council with 5 new designs to see if they liked any of them. He stated that the last ones seemed to be too complicated. There was discussion on the flag designs but there was not action taken.

Moot.

12. Discussion on putting a museum on the north side of the Community Center.

The Mayor told the council that he thought that since the North wall needed to be rehabbed then they should consider adding a museum and that there was a lot of items that could be placed in the museum from the Police and Fire departments. He stated that he had spoken to Cory Warr and he might be interested in assisting with museum. He said that since the city was getting stimulus money to do work on the building this would be a good time to any other work also. Councilman Owens asked if there would be funding from outside sources and the Mayor told him, yes. Councilman Owens stated that they should think about future growth of the building and if they want to expand then now is the time to do it.

Item 18 was heard after item 12.

Item 13 was heard after item 5.

13. Discussion and possible action on allowing the use of City Hall, one Police unit and two Police Officers at a charge or for free by a film crew.

Mr. Felix owns Dance Magic, dance studio, addressed the council telling them about the movie that he would be filming and that he would like to hire a couple of Officers, use the Court room and Police unit. He told them that the name Warr Acres would be used several times in the movie. The Mayor told the council that when Mr. Felix told him that he was going to film a movie in the city he had called the State Film Industry to see what could and could not be allowed and if the city had to charge a fee. He was told that the city would need a letter from the State Film Industry, they would need the city listed as additional covered under the company's insurance policy.

No action was taken on this item.

Item 6 was heard after item 13.

14. Discussion and possible action on purchasing two used Police units from Kansas in the amount of \$34,000 and appropriate the money from Public Safety Tax.

The Mayor told the council that the Police are running three cars 24 hours a day. He said that when they reduced the personnel they also reduced the fleet and now that they are adding personnel back they need more units. They got money from the surplusd units and from the sale of the Fire truck. The dollar figure requested includes the items needed to outfit the unit.

Motion by Dirkschneider, second by Maxey to approve the purchase of two used police units and appropriate the funds from the Public Safety Tax Fund. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

15. Discussion and possible action to confirm action taken at the October 20, 2009 Council meeting on the Pines Dam Rehabilitation project to accept the construction as recommended by the City Engineer, approve the release of the construction bond posted by the contractor, accept the maintenance bond posted by the contractor by the city and placed into effect, authorize payment of final funds due Cimarron Construction from the city, authorize the release of the funds escrowed by the Homeowners Association and accept payment in amount of \$28,205 and to authorize the release of any funds remaining in the escrow once everyone is paid to the Homeowners Association.

Attorney Love stated that when the item was amended on the October agenda the heading for the item was somehow removed. To keep there from being any questions on the action taken in October the item was placed on this agenda to ratify the action.

Motion by Johnson, second by Dirkschneider to ratify the action taken at the October meeting. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

16. A. Discussion and possible action on an Ordinance amending 16.20 Flood Damage Prevention. *Turman* ****

Motion by Owens, second by Dirkschneider to approve the Ordinance #1079. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

- B. Approval of the emergency clause.

The council was unable to pass the emergency clause because there were not enough members present and approval requires 2/3 of the entire body.

17. Questions and Comments from Councilmembers.

Mayor Woolley told the council that the Use tax debt had been paid off.

Councilman Johnson read the following:

I have said many times that there is no Pride in Warr Acres. Well it is time for me to correct myself. There is Pride in Warr Acres.

In September of last year Jan Blake was able to start a recycling program. It started small but the last few months there has been an average of over 100 people showing up on the two days that it is open every month. This shows that people do care. Its pride in Warr Acres that has volunteers like Betty Stephens, Jane Kinney, Shirley Swain, Jan Blake, Beverly Wood & her boy scouts, Shelly White & her girl scouts, Mark Dittmer, & Barbara Harris giving their time to this worthy project. This last week we had a new couple Roger and Megan Godwin, this is great as they represents the younger people becoming

involved here in Warr Acres.

We have a Beautification Committee formed by all volunteers. With hardly any donations this group has put in the 4 season garden at city hall and planted over 50 trees and shrubs around the city and in the city parks. Ms. Blake, Marc & Barbara Harris, John Tardibono have donated over 100 hours beautifying the city. Judith and Dane Marable spent countless hours hauling water for the trees in Dorothy Cavender park during the long dry spell. Without that water we would have lost most, if not all the new trees.

A couple of months ago the city needed help with a citywide cleanup. A request for volunteers was made by the city and answered by Ms. Blake, Joyce Geb, Shirley Swaine, Penny Morgan, Beverly Woods & her Boy Scouts, Shelly White & her Girl Scouts, Jane Kinney, Don & Marilyn Winans, Ann Hardesty, Patricia Johnson, Yvonne Graham, Ms. Bruce, Tina, Alexis, Luke Stoudehire, and Barbara Harris. They picked up over 50 bags of trash through out the city. That's dirty work but shows great Pride.

We have a volunteer Christmas committee. Headed up by former Council Man Richard Bricker, along with Rodney & Marsha Dahlenburg, & Barbara Harris. This group holds a Christmas Tree Lighting each year at 42nd and MacArthur. This year it will be the evening of December 5th. This small group could also use donations and decorating help.

Perhaps the greatest volunteers are David and Barbara Goodwin, who have been scanning documents into the computer for the police department for several years. This is surely the definition of dedication and pride in their city.

Last but surely not least are our former mayors Jessie Simmons, Marietta Tardibono and her husband John, and our current Mayor Pat Woolley who have help in all these endeavors.

These are your friends and neighbors, next time you see them thank them and consider joining them to continue the development of Warr Acres. This is a Great Start and hopefully it will continue to grow as there are really great people here in this Great little City.

Thank you all for showing your Pride in Warr Acres.

Councilman Gossman said that the council needed to consider lifting the 8 bag limit during this time of the year due to the citizens cleaning up leaves. He also stated that he had received lots of calls concerning the limit of Big Trash now only allows for 4 yards per house. He stated that he understands that there was some abuse but they need to re-think the limit.

Item 18 was heard after item 12.

18. Discussion and possible action concerning contract negotiations for FY 2010 with FOP Lodge #145, and IAFF Lodge #2374 and the City of Warr Acres, including discussion and action on entering into Executive Session as allowed under 25 O.S. Supp. 307 (B)(2), discussion negotiations concerning employees and representatives of employee groups. *Puckett*

Motion by Dirkschneider, second by Owens to enter into executive session. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

The council entered into executive session at 6:47 p.m.

The council returned to open session at 7:48 p.m.

Motion by Johnson, second by Dirkschneider to come out of executive session.
Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

Item 10 was heard after item 18.

19. Any Old or New Business (“New Business” is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”)).

Moot.

20. Adjournment.

Motion by Owens, second by Dirkschneider to adjourn. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

CITY OF WARR ACRES PUBLIC WORKS AUTHORITY MEETING TUESDAY

NOVEMBER 17, 2009

7:00 p.m.

(Immediately following completion of the regularly scheduled City Council meeting)

1. The meeting was called to order at 8:15 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Trustee Phil Owens
Trustee David Dirkschneider
Trustee Mike Gossman
Trustee Dean Johnson
Trustee Cathy Maxey

ABSENT

Vice-Chair Nancy Olson
Trustee Doug Davis
Trustee Christian Portwood

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of October 20, 2009. ****

Motion by Owens, second by Dirkschneider to approve the minutes. Poll vote: Johnson, yea; Owens, yea; Gossman, abstain; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed.

3. Approve payment of claim in the amount of \$60,671.51 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of October, 2009. ****

Motion by Dirkschneider, second by Gossman to approve the payment of the claim. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

4. Approval of payment of claims for the Sewer department. ****

Motion by Owens, second by Dirkschneider to approve the payment of the sewer claims. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Adjournment.

Motion by Owens, second by Gossman to adjourn. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 8:17 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

CITY OF WARR ACRES SPECIAL CITY COUNCIL MEETING

TUESDAY

NOVEMBER 17, 2009

7:00 p.m.

(Immediately following completion of the Public
Works Authority meeting)

1. The meeting was called to Order at p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Mayor Pat Woolley
Councilman Phil Owens
Councilman Dean Johnson
Councilman David Dirkschneider
Councilman Mike Gossman
Councilwoman Cathy Maxey

ABSENT

Vice-Mayor Nancy Olson
Councilman Doug Davis
Councilman Christian Portwood

2. Review, discussion and possible recommendations on the 2010 budget. ****

The Mayor gave a run down of what was included in the budget. He told them that the Non-contract employees retirement was budgeted at 16.8% which is the amount the actuarial stated needed to be paid in. This is up from the 12% that was budgeted in the six month budget. He said that included was a Deputy Police Chief, a Rookie Officer, one new Dispatcher and two new Sewer personnel. He said that Use Tax was not budgeted but that as the city receives it he would like to have it appropriated and used towards paying down the deficit in the OMRF retirement fund. The amount that would be paid in would be the Use tax minus the ½ cent that goes into CIP and the ½ cent that goes into Public Safety Tax. Councilwoman Maxey asked about giving the Judge a raise, said she would like to raise it \$100 per month. Councilman Gossman questioned the appliances that were being requested from the Public Safety tax. He also wanted to know why the need for 3 personnel in the Sewer department and stated that he thought the city was cross training the employees in the Public Works departments. The Mayor stated that they need the manpower, especially when there is a need to jet a line or they have an overflow. The additional manpower will allow for more preventive maintenance to be done. The employee could also be used in other departments. The Mayor also stated that the Sewer department was being run differently now. PWD Turman stated that they are working on organizing sewer maps and lift station plans and doing things that were not done in the past to make it more efficient. The Mayor stated that he did not intend to hire all at once that he wanted to include them in the budget so they could be hired as needed.

Councilwoman Maxey asked if there was anything that could be done about the overtime in the Police and Fire departments. The answer was not really. Councilman Gossman stated that he did not like a flat amount being paid on insurance because then the employees would take everything they could to make sure they got the full benefit. He said it was too bad for those that had family coverage, they should be thankful to have insurance. The Mayor said that he wanted to thank Dr. Shapiro, Bob Wehba and Barbara Harris for their help on the budget.

3. Adjournment.

Motion by Owens, second by Dirkschneider to adjourn. Poll vote: Johnson, yea; Owens, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 9:01 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk